

28 January 2008

European Patent Office increase in fees

Recently, the Administrative Council of the European Patent Office announced a new fee schedule, coming into effect on 1 April 2008. The new fee amounts shall be binding on payments made on or after that date.

While most of the applicable fees for filing and prosecuting European patent applications have been moderately increased, there are some significant changes which will be discussed below.

In particular, renewal fees for the 4th to 10th and each subsequent year have been significantly increased, and the additional fee for belated payment of renewal fees has been increased from 10% to 50% of the belated renewal fee.

Further, instead of the current applicable claims fee of EUR 45.00 for the 11th and each subsequent claim, from 1 April 2008 the European Patent Office will be introducing a claims fee for the 16th and each subsequent claim in the amount of EUR 200.00.

Coming into effect in a year's time, namely, on 1 April 2009, an additional claims fee of EUR 500.00 for the 51st and each subsequent claim will be implemented.

Furthermore, for a European patent application comprising more than 35 pages, a fee of EUR 12.00 for the 36th and each subsequent page will be introduced on 1 April 2009.

Finally, also commencing 1 April 2009, the individual designation fees will be abolished and replaced by one common designation fee of EUR 500.00 for all contracting states.

Since some of the fee increases are quite significant for applicants filing large applications with a large number of claims, we generally recommend that future European patent applications are checked to establish whether the overall number of claims could be reduced in order to save claims fees.

Please ask us for detailed advice on a tailored strategy for your patent applications.